

REMARKS

Claims 1 to 36 are pending in this application. Applicants note that the Office Action cover sheet and the Office Action only refer to claims 1 to 34. Claims 35 and 36 were added during the international stage of this application. Applicants believe that the reference to claim 34 is only a typographical error and actually refers to claim 36 and respond herein with that understanding.

Claims 1 to 36 are subject to restriction under 35 U.S.C. § 121:

| Group | Component | Claims | Description |
|-------|-----------------------|----------------|--|
| I | Fatty material | 1 to 36 | Composition comprising fatty acid quaternary ammonium compound with ester functionality |
| II | <i>Fatty material</i> | <i>1 to 36</i> | <i>Composition comprising fatty acid quaternary ammonium compound with amide functionality</i> |
| III | Fatty material | 1 to 36 | Composition comprising fatty acid alkoxylated quaternary ammonium compound |
| IV | Fatty material | 1 to 36 | Composition comprising non-ionic fatty ester |
| V | Fatty material | 1 to 36 | Composition comprising fatty acid condensation product |
| VI | Fatty material | 1 to 36 | Composition comprising alkylmethyl quaternary ammonium compound |
| VII | Fatty material | 1 to 36 | Composition comprising amido alkoxylated quaternary ammonium compound |
| VIII | Fatty material | 1 to 36 | Composition comprising quaternarized amido |

| Group | Component | Claims | Description |
|----------|-------------------------------------|----------------|---|
| | | | imidazole |
| IX | Fatty material | 1 to 36 | Composition comprising polyamine salt |
| X | Fatty material | 1 to 36 | Composition comprising polyalkylene imine |
| XI | Fatty material | 1 to 36 | Composition comprising alkyl pyridinium salt |
| A | Polymer | 1 to 36 | Composition comprising water-dispersible polyolefin |
| <i>B</i> | <i>Polymer</i> | <i>1 to 36</i> | <i>Composition comprising water-soluble polyorgano siloxane</i> |
| C | Polymer | 1 to 36 | Composition comprising water-dispersible polyorgano siloxane |
| <i>a</i> | <i>Individual polymer particles</i> | -- | <i>Composition comprising PTFE particles</i> |
| b | Individual polymer particles | -- | Composition comprising PVA particles |
| c | Individual polymer particles | -- | Composition comprising PVA/a particles |

Applicants are required to select one group from Groups I to XI, one group from Groups A to C, and one group from Groups a to c. The Office indicates that the inventions listed as Groups I to XI do not relate to a single general inventive concept under PCT Rule 12.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features.

According to MPEP § 803, there are two criteria for a proper requirement for restriction between patentably distinct inventions:

- (A) The inventions must be independent (see MPEP § 802.01, § 806.04, § 808.01) or distinct as claimed (see MPEP § 806.05-§ 806.05(i)); and
- (B) There must be a serious burden on the examiner if restriction is required (see MPEP § 803.02, § 806.04(a) - § 806.04(i), § 808.01(a), and § 808.02).

For purposes of the initial requirement, a serious burden may be *prima facie* shown if the examiner shows separate classification, separate status in the art, or a different field of search as defined in MPEP § 808.02. In the subject application, the claims have been restricted into *17 different groups*, however, none of the groups were classified. *Particularly, within Groups A to C, it is expected that the polyorganosiloxanes will be similarly classified and can be searched and examined together.* The same analysis applies to the Groups a to c. Thus, applicant respectfully submits that a *prima facie* case of serious burden has not been established. Applicants request reconsideration of the restriction requirement, especially as it applies to Groups A to C and Groups a to c.

Nonetheless, to be fully responsive to the restriction requirement, applicants elect *with traverse* to prosecute the claims of **Groups II, B, and a.**

| Group | Component | Claims | Description |
|-----------|-------------------------------------|----------------|--|
| <i>II</i> | <i>Fatty material</i> | <i>1 to 36</i> | <i>Composition comprising fatty acid quaternary ammonium compound with amide functionality</i> |
| <i>B</i> | <i>Polymer</i> | <i>1 to 36</i> | <i>Composition comprising water-soluble polyorgano siloxane</i> |
| <i>a</i> | <i>Individual polymer particles</i> | -- | <i>Composition comprising PTFE particles</i> |

Applicants request reconsideration of the restriction requirement. If the Examiner is of a contrary view or wishes to further discuss the merits of the application, the Examiner is requested to contact the undersigned attorney at (404) 459-5642.

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